

Amendment No. 1 to SB0444

Beavers  
Signature of Sponsor

**AMEND Senate Bill No. 444\***

**House Bill No. 608**

by deleting Section 34-14-202 in the amendatory language of Section 1 of the bill in its entirety and substituting instead the following language:

Section 34-14-202.

(a) Except as provided in subsection (b), this part provides the exclusive jurisdictional basis for a court of this state to appoint a guardian or issue a protective order for an adult.

(b) It is the intent of this part to supplement any provisions of the Adult Protection Act, in title 71, chapter 6, part 1 to provide a basis for determining jurisdiction between this state and other states or foreign countries in any cases involving the protection of an adult by the courts of different states or countries. Notwithstanding the appointment of a guardian or conservator under this part, or under title 34 or any other provision of law, nothing in this title shall supersede the provisions of the Tennessee Adult Protection Act (the act) contained in title 71, chapter 6, part 1 providing for the protection of vulnerable adults in need of protective services as defined in the act, the authority of the department of human services under the act to investigate cases of an adult who may be in need of protective services and to provide such services, or the jurisdiction of the court under the act to order the provision of protective services or the establishment of a temporary guardian appointed by the court to secure and disburse the adult's property to fund such services. The court's orders under the act shall supersede and suspend any orders entered under this title or any other law that addresses the protection, custody, including emergency temporary custody, of the adult or the disposition of property necessary to fund protective services for the adult under the act; provided, however, that the ultimate determination of the jurisdiction of this state or another state or foreign

country to enter orders for the adult's personal protection and financial welfare shall be determined under the jurisdictional provisions of this part.

AND FURTHER AMEND by adding the language "34-14-202 and Section" immediately following the language "Except as otherwise provided in Section" in Section 34-14-205 in the amendatory language of Section 1 of the printed bill.